

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE FRANCISCO SANTA ROSADO
JANIRA VELAZQUEZ LOZADA

DEBTORS

CASE NO. 15-01092-ESL

CHAPTER 13

**DEBTORS' MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

NOW COMES, JOSE FRANCISCO SANTA ROSADO and JANIRA VELAZQUEZ LOZADA, through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtors are hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated June 1, 2016, herewith and attached to this motion.
2. This Plan modification is filed to cure the Plan arrears owed to the Trustee and increase the Plan's base in order to comply with the distribution of the Plan.

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)(2)(b)

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtors and to all creditors and interested parties appearing in the master address list, hereby attached.

Page 2

Case no. 15-01092-ESL13

Post confirmation modification of chapter 13 Plan

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 1st day of June, 2016.

/s/ Roberto A. Figueroa Colón

ROBERTO A. FIGUEROA COLON

USDC #300105

ATTORNEY FOR PETITIONERS

FIGUEROA & SERRANO, PSC

PO BOX 1635

GUAYNABO PR 00970-1635

TEL NO. (787) 744-7699

EMAIL: rfigueroa@fslawpr.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 3:15-bk-1092

SANTA ROSADO, JOSE FRANCISCO & VELAZQUEZ LOZADA, JANIRA

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 6/01/2016

☐ AMENDED PLAN DATED: _____

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 100.00 x 8 = \$ 800.00
 \$ 190.00 x 4 = \$ 760.00
 \$ 0.00 x 3 = \$ 0.00
 \$ 207.00 x 45 = \$ 9,315.00
 \$ _____ x _____ = \$ _____

TOTAL: \$ 10,875.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
 within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
 addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 10,875.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
 Disclosure Statement: \$ 2,888.00

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. Banco Popular de P.R. Cr. Banco Popular de P.R.

x4659 Post-petition # Claim 2-1 # _____

\$ 1,516.68 \$ 4,622.02 \$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

Banco Popular de P.R.

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____

☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

* Additional Attorney's Fees: \$150.00 payment for the services rendered in connection to debtor(s)' post confirmation plan and related procedures for approval, pursuant to R. 2016 (f)(3).

* Additional Attorney's Fees: \$350.00 payment for the services rendered in connection to debtor(s)' confirmed post confirmation plan (docket #41) and related procedures for approval, pursuant to R. 2016 (f)(3).

* Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."

* Mueblerias Berrios loan is under a third party, loan is secured with debtors' furniture, the debtors will make direct payments to M Berrios, loan matures at month nine (8) of the proposed Plan.

Signed:

Debtor

Joint Debtor

Attorney for Debtor Figueroa & Serrano, PSC

Phone: (787) 744-7699

Label Matrix for local noticing
0104-3
Case 15-01092-ESL13
District of Puerto Rico
Old San Juan
Wed Jun 1 16:39:22 AST 2016

Toyota Motor Credit Corporation
c/o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Att Services
PO Box 192830
San Juan, PR 00919-2830

Banco Popular de Puerto Rico
PO Box 366818
San Juan, PR 00936-6818

Depto De Transportacion Y Obras Publicas
PO Box 41269
San Juan, PR 00940-1269

PR Telephone
PO Box 70239
San Juan, PR 00936-8239

U S Department of Education
P O Box 16448
St. Paul, MN 55116-0448

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

ROBERTO ARISTIDES FIGUEROA-COLON
FIGUEROA & SERRANO, PSC
PO BOX 1635
GUAYNABO, PR 00970-1635

BANCO POPULAR DE PUERTO RICO
C/O SERGIO A. RAMIREZ DE ARELLANO LAW OF
BANCO POPULAR CENTER, SUITE 1022
209 MUNOZ RIVERA AVE.
SAN JUAN, PR 00918-1000

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANCO POPULAR DE PUERTO RICO
MORTGAGE SERVICING DEPARTMENT
PO BOX 362708 SAN JUAN, PR 00936-2708

Banco Popular de Puerto Rico
PO Box 362708
San Juan PR 00936-2708

FIRST BANK
CONSUMER SERVICE CENTER
BANKRUPTCY DIVISION (CODE 248)
PO BOX 9146
SAN JUAN PR 00908-0146

Premier Bankcard, Lllc
c o Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-7999

JANIRA VELAZQUEZ LOZADA
URB HACIENDA DE TENA
BOX 211
JUNCOS, PR 00777-0211

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

End of Label Matrix
Mailable recipients 24
Bypassed recipients 0
Total 24

BANCO POPULAR PR
FORTUNO & RIVERA FONT LLC
PO BOX 13786
SAN JUAN, PR 00908-3786

AT&T Mobility Puerto Rico, Inc
% AT&T Services, Inc
Karen Cavagnaro, Paralegal
One AT&T Way, Room 3A104
Bedminster, NJ 07921-2693

BANCO POPULAR DE PUERTO RICO
MORTGAGE SERVICING DEPARTMENT
PO BOX 362708 SAN JUAN, PR 00936-2708

Claro
PO Box 360998
San Juan, PR 00936-0998

First Bank Of PR
PO Box 9146
San Juan, PR 00908-0146

Synchrony Bank
c/o of Recovery Management Systems Corp
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

JOSE FRANCISCO SANTA ROSADO
URB HACIENDA DE TENA
BOX 211
JUNCOS, PR 00777-0211